



SOUTH-EASTERN EUROPE

Bosnia and Herzegovina

Croatia

Montenegro

Serbia (and Kosovo: Security Council Resolution 1244 (1999))

The former Yugoslav Republic of Macedonia



UNHCR / K. PAPAZOGLU

IDPs on a UNHCR-sponsored vocational training course in Belgrade (Serbia)

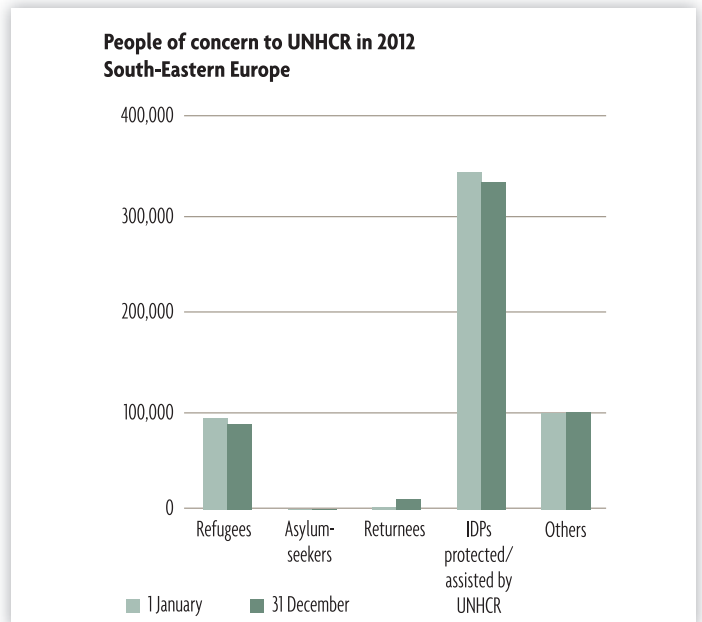


Overview



Highlights

- A multi-donor trust fund was created in 2012 to provide housing for 74,000 vulnerable refugees displaced by the 1991-1995 conflicts in the Balkans.
- UNHCR began discussions on a comprehensive durable solutions strategy leading to cessation of refugee status for refugees from Croatia and Bosnia and Herzegovina displaced by the 1991-1995 conflict. As Co-chair of the Task Force on Durable Solutions, UNHCR focused on ending displacement both within and outside Kosovo (S/RES/1244 (1999)).
- UNHCR's advocacy and provision of technical support to Governments in South-Eastern Europe helped improve legislative and administrative frameworks on asylum and the prevention of statelessness.
- Implementation of the High Commissioner's special project on sexual and gender-based violence (SGBV) in Bosnia and Herzegovina allowed some 1,900 victims of sexual violence to receive support.



Working environment

Bosnia and Herzegovina, Croatia, Montenegro and Serbia are preparing to implement the Regional Housing Programme that is part of the Sarajevo Process to end displacement in the Balkans. The programme targets the most vulnerable of those displaced during the 1991–1995 conflicts in the region, who are still in need of durable solutions. Almost 400,000 people, both internally displaced persons (IDPs) and refugees, remain displaced today as a legacy of the conflicts in the region. Attempts to find durable solutions for those not covered by the Regional Housing Programme have been hampered by the international economic crisis.

The countries of the western Balkans host more than 20,000 stateless people.

Many of the asylum-seekers and economic migrants joining the broader flows of migrants on their way to Western Europe in 2012 originated in South-Eastern Europe. An increasing number of refugees and migrants from outside the region also transited through South-Eastern Europe, with no intention of staying in the country in which they had lodged their asylum claims. Of particular concern were growing numbers of unaccompanied children in mixed migration movements. While all countries of the region have national asylum frameworks and are parties to the 1951 Refugee Convention and its 1967 Protocol, serious shortcomings in their implementation restricted the available protection space.

The European Union (EU) accession process remained the driving force behind policy in most countries in the region. Croatia will be the first country in the western Balkans to join the EU in 2013. Accession negotiations with Montenegro started in mid-2012. In Bosnia and Herzegovina, however, the political situation remained unstable and continued to stall the implementation of important reforms required for EU accession.

In Serbia, the election and formation of a new Government slowed the implementation of planned UNHCR programmes and activities. The unresolved dispute over the status of Kosovo (S/RES/1244 (1999)), and the tense security situation in the northern region of Mitrovica, which is ethnically divided, made the integration of minorities difficult and slowed the return process.

Achievements and impact

Support durable solutions

- To ensure sustainable durable solutions for the most vulnerable of those displaced during the 1991–1995 conflicts, UNHCR performed its protection and monitoring role jointly with the Organization for Security and Cooperation in Europe, as recognized under the Sarajevo process and the Regional Housing Programme. UNHCR helped the partner Governments to prepare sustainable housing projects and developed beneficiary selection criteria to ensure that the most vulnerable are assisted with housing solutions.
- The Regional Working Group on Civil Documentation and Status was established to accelerate the provision of civil documentation as an integral step towards durable solutions.

Serbia provided some 100 Roma from Kosovo (S/RES/1244 (1999)) with personal documents, and Montenegro organized the travel of 500 refugees to collect personal documents from Kosovo (S/RES/1244 (1999)). Croatia amended its laws on citizenship and foreigners to allow returning refugees and pre-war habitual residents to register for permanent residency and naturalization, respectively.

- In Serbia, UNHCR worked with the Government and the European Union to close eight collective centres housing some 90 refugees and 460 IDPs. The residents of the closed centres were provided with sustainable housing solutions.
- UNHCR and its partners worked to provide economic sustainability for vulnerable returnee and IDP families in Bosnia and Herzegovina. More than 4,500 people benefited from projects that were implemented in 65 communities, strengthening reintegration and reconciliation efforts. Free legal assistance was provided to some 6,700 IDPs and returnees in areas such as representation before administrative and judicial bodies, property rights, housing reconstruction, health care, employment and social welfare.
- In light of the 2011 Joint Ministerial Declaration signed by Bosnia and Herzegovina, Croatia, Montenegro and Serbia to end displacement in South-Eastern Europe, UNHCR initiated a dialogue on the possibility of applying cessation clause for refugees from Croatia and Bosnia and Herzegovina.
- In Kosovo (S/RES/1244 (1999)), the Task Force on Durable Solutions, set up in the autumn of 2012 and co-chaired by the Ministry on Communities and Return and UNHCR, included the participation of more than 40 representatives from the Government, municipal authorities, international donors, UN agencies and NGOs.

Prevent and resolve situations of statelessness

- The Serbian Parliament adopted the Law on Amendments to the Law on Non-Contentious Procedures in August 2012. This represents an important step in addressing the problem of people who are legally “invisible” due the lack of sufficient documentation including birth registration.
- The Law on Basic Registers and a number of associated by-laws were adopted in Bosnia and Herzegovina incorporating many of UNHCR’s recommendations to avoid and reduce statelessness including the new possibility for undocumented parents to register the birth of their child with parental statements alone.
- Croatia adopted in November 2012 the National Roma Inclusion Strategy 2013 – 2020 which also addresses civil registration and legal aid issues.

Enhance protection through the improvement of asylum systems

- UNHCR began issuing country papers in South-Eastern Europe in 2012 to identify good practices and provide recommendations on how shortcomings in national asylum procedures could be addressed. The first country paper addressed the asylum system in Serbia.
- The former Yugoslav Republic of Macedonia and Bosnia and Herzegovina improved their asylum legislation, incorporating UNHCR’s recommendations on gender and child-specific persecution and minimum reception conditions, particularly for those with special needs.

- Bosnia and Herzegovina and Croatia also implemented national strategies to improve the quality of asylum and possibilities for local integration.

Constraints

Asylum systems in the region were overwhelmed by the sharp rise in the number of new asylum-seekers. For instance, there was a 550 per cent surge in arrivals from 2011 to 2012 in Montenegro, which led to problems in maintaining adequate processing and reception conditions.

The economic situation remained difficult throughout the region. Bosnia and Herzegovina's record unemployment rate of more than 40 per cent, coupled with discrimination against displaced persons in the job market, hindered the local integration of vulnerable IDPs.

The high unemployment rate in Serbia and in Kosovo (S/RES/1244 (1999)) had a severe impact on the lives of persons of concern to UNHCR. The return of minorities to Kosovo (S/RES/1244 (1999)) continues to be a challenge for both the returning populations and the communities that receive them.

The transition from basic return assistance to sustainable re-integration of Serb returnees in Croatia remained difficult, especially due to the lack of employment opportunities in the areas of return.

There was little development on the implementation of the revised Annex VII Strategy of the Dayton Peace Agreement in Bosnia and Herzegovina, largely due to a deadlock in forming the government following the 2010 elections. In Montenegro, lengthy and demanding procedures prevented some 40 per cent of refugees from legalizing their stay in the country through the status of Foreigner with Permanent Residency.

Operations

In **Bosnia and Herzegovina**, efforts to build the capacity of implementing partners and government authorities, including the Constitutional Court, were important in strengthening the quality of refugee status determination (RSD). This was reflected in 312 legal submissions and consequently the granting of subsidiary protection status to 24 individuals. UNHCR's advocacy and work with the Government resulted in granting temporary protection to Syrian asylum-seekers. In the absence of state-provided legal aid and interpretation during legal counselling sessions for asylum-seekers, UNHCR provided these services.

In **Croatia**, UNHCR worked with the Government to strengthen the asylum legislation and its implementation. Croatia drafted a National Migration Strategy to improve the position of asylum-seekers and refugees in the country. UNHCR and its implementing partners assisted some 13,000 minority returnees

and 460 refugees under temporary protection. The assistance included legal counselling, financial support for administrative fees for citizenship and temporary residence, and the provision of basic humanitarian services.

In **the former Yugoslav Republic of Macedonia**, UNHCR's engagement with the judicial review bodies was strengthened by the signing of a Memorandum of Cooperation with the Academy for Judges. The number of asylum-seekers in the country reached almost 650 in 2012, although most departed spontaneously within weeks of arrival. At the same time, implementation of the national strategy for local integration of refugees and foreigners moved ahead with the construction of 20 social housing facilities. Some 600 persons of concern were integrated into the national health care system after the Law on Health Insurance was amended in line with UNHCR's suggestions.

In **Montenegro**, UNHCR worked towards full implementation of the Government's strategy on durable solutions for those displaced during the 1991-1995 conflicts. UNHCR provided free legal aid to more than 3,170 refugees and assisted 2,150 of them, mainly members of the Roma, Ashkali and Egyptian minorities, to achieve the legal status of foreigner with permanent residence, which remains a prerequisite for their legal stay in Montenegro. By the end of the year some 9,700 people had applied for the status of foreigner with permanent residence. UNHCR also helped the Government of Montenegro to provide shelter to some 800 refugees whose homes in the Konik Camp I had been destroyed by fire.

In **Serbia and Kosovo (S/RES/1244 (1999))**, long-term advocacy by UNHCR led to the adoption of crucial legislative amendments to address the risk of statelessness. In addition, a Memorandum of Understanding was signed by the Ministry of Justice and Public Administration, the Ombudsman and UNHCR to establish their cooperation in finding systemic solutions to the obstacles that the Roma population faces in obtaining civil documentation and legal status in Serbia. In the absence of development actors in the affected area, UNHCR continued to provide sustainable housing solutions, vocational training and income-generation programmes as well as health and social services for extremely vulnerable IDPs.

UNHCR is as a member of Kosovo's (S/RES/1244 (1999)) newly formed National Commission for Refugees, and continued to contribute to legislative and policy developments in the fields of citizenship, asylum and mixed migration in the country. UNHCR and its partners provided more than 1,800 people at risk of statelessness and over 1,600 returnees with direct legal assistance to help them obtain personal documents. UNHCR also supported the return of 970 displaced persons and engaged the Kosovo authorities, international organizations and civil society in efforts to find durable solutions for thousands of minorities still displaced within and outside Kosovo (S/RES/1244 (1999)).

| Financial information |

The reduction in the subregion's budget from some USD 76.3 million in 2011 to USD 63.6 million in 2012 reflected the progressive downsizing of UNHCR's operations in South-Eastern Europe in parallel with renewed efforts to persuade countries in the subregion to take greater ownership in resolving long-standing

displacement situations. The majority of the unmet needs in 2012 were in relation to assistance for vulnerable refugees, IDPs, returnees, and stateless people from Kosovo (S/RES/1244 (1999)) who were not covered by the Regional Housing Programme. Overall expenditures for the subregion were USD 28.4 million.

Budget and expenditure in South-Eastern Europe | USD

Operation		PILLAR 1 Refugee programme	PILLAR 2 Stateless programme	PILLAR 3 Reintegration projects	PILLAR 4 IDP projects	Total
Bosnia and Herzegovina	Budget	4,432,852	1,809,414	0	8,786,738	15,029,004
	Expenditure	2,211,685	964,704	0	2,969,047	6,145,436
Croatia	Budget	1,399,162	351,907	3,251,931	0	5,003,000
	Expenditure	653,791	160,248	2,377,335	0	3,191,374
Kosovo (S/RES/1244 (1999))	Budget	2,694,881	1,034,467	4,862,867	3,412,792	12,005,007
	Expenditure	1,200,590	1,031,101	3,317,506		5,549,197
Montenegro	Budget	4,209,323	341,559	0	0	4,550,882
	Expenditure	2,682,315	220,586	0	0	2,902,901
Serbia	Budget	7,378,415	1,022,518	0	14,607,367	23,008,300
	Expenditure	1,364,779	772,948	0	6,263,441	8,401,168
The former Yugoslav Republic of Macedonia	Budget	3,628,672	356,975	0	0	3,985,647
	Expenditure	1,895,833	306,186	0	0	2,202,019
Total budget		23,743,305	4,916,840	8,114,798	26,806,897	63,581,840
Total expenditure		10,008,993	3,455,773	5,694,841	9,232,488	28,392,095

Voluntary contributions to South-Eastern Europe | USD

Earmarking / Donor	PILLAR 1 Refugee programme	PILLAR 3 Reintegration projects	PILLAR 4 IDP projects	All pillars	Total
SOUTH-EASTERN EUROPE SUBREGION					
United States of America				1,450,000	1,450,000
South-Eastern Europe subtotal	0	0	0	1,450,000	1,450,000
BOSNIA AND HERZEGOVINA					
Germany			553,483		553,483
Bosnia and Herzegovina subtotal	0	0	553,483	0	553,483
CROATIA					
Croatia	70,032				70,032
Norway		574,555			574,555
Croatia subtotal	70,032	574,555	0	0	644,587
KOSOVO (S/RES/1244 (1999))					
Germany	155,280	217,391			372,671
Kosovo (S/RES/1244 (1999)) subtotal	155,280	217,391	0	0	372,671
MONTENEGRO					
Council of Europe Development Bank	470,668				470,668
United States of America	269,662				269,662
Montenegro subtotal	740,330	0	0	0	740,330
SERBIA					
Divac Foundation			39,835		39,835
European Union			1,883,500		1,883,500
International Organization for Migration	9,420		16,260		25,680
Russian Federation			200,000		200,000
Serbia	90,000				90,000
Serbia subtotal	99,420	0	2,139,595	0	2,239,015
Total	1,065,062	791,947	2,693,078	1,450,000	6,000,086

Note: Includes indirect support costs that are recovered from contributions to Pillars 3 and 4, supplementary budgets and the “New or additional activities – mandate-related” (NAM) Reserve.